

REMARKS

Claims

Claims 10-14 and 16-23 are pending. Claim 10 has been amended and support can be found in the claims and specification as originally filed. Claim 18 has been amended to correct typographical errors.

With respect to all amendments and cancelled claims, Applicants have not dedicated or abandoned any unclaimed subject matter and moreover have not acquiesced to any rejections and/or objections made by the Patent Office. Applicants reserve the right to pursue prosecution of any presently excluded claim embodiments in future continuation and/or divisional applications.

Information Disclosure Statement

Applicants submit a supplemental Information Disclosure Statement with this response.

Claim objections

Claim 18 has been amended to correct typographical errors and Applicants respectfully request the withdrawal of this objection.

Rejection under 35 U.S.C. §112

Applicants thank the Examiner for withdrawing the rejection under 35 U.S.C. §112, second paragraph.

Rejection under 35 U.S.C. §102(b)

The Examiner has rejected claims 10-11, 18-20 and 23 under 35 U.S.C. §102(b) as allegedly being anticipated by Wrighton *et al.* U.S. Patent 5,773,569 (hereinafter referred to as “Wrighton”). Applicants respectfully traverse the rejection.

Applicants have previously argued that Wrighton does not disclose (i) a single oxidation step, or (ii) the preferential promotion of intrapeptide disulfide bond formation (see page 6 of the April 11, 2007 Response). As acknowledged by the Examiner, Wrighton teaches a dimeric peptide analog containing two disulfide bonds prepared by “cyclizing the peptide via forming the

first disulfide bond, and subsequently forming the second disulfide bond to yield the bicyclic dimer” [Emphasis added] (page 3 of the Final Rejection and page 3 of the January 11, 2007 Office Action). However, the Examiner has maintained the rejection under 35 U.S.C. §102(b) asserting that “the differences in the synthetic procedure between the instant application and Wrighton’s patent as indicated in applicants’ arguments … are not cited in steps (a) and (b) of claim 10” (page 4 of the Final Rejection). As currently amended, claim 10 recites a method of synthesizing a peptide dimer comprising the step (b) of “oxidizing in a single oxidation step said peptide chains in a manner effective to preferentially promote formation of disulfide bonds between residues in the same peptide chain relative to formation of disulfide bonds in different peptide chains” [Emphasis added]. Unlike Wrighton which performs sequential oxidation steps, currently amended claim 10 includes the limitations of (i) a single oxidation step, and (ii) the preferential promotion of intrapeptide disulfide bond formation. Therefore, Applicants submit that the differences between the Applicants’ invention and the procedure disclosed in Wrighton are recited in the currently amended claims. Wrighton does not disclose all the limitations of claim 10 and therefore the reference cannot anticipate claim 10 or any claims depending therefrom. Claims 11 and 18-20 depend from claim 10. Applicants therefore submit that Wrighton cannot anticipate claims 10-11 and 18-20, and respectfully request that this rejection be withdrawn.

Double patenting rejection

A Terminal Disclaimer over U.S. Patent 6,703,480 is submitted with this response. Applicants request its entry and the withdrawal of the rejection.

CONCLUSION

The Commissioner is authorized to charge any fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (referencing Attorney's Docket No. 44368-0005 C1).

Respectfully submitted,



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